

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 17, 1998

DIVISION ONE

B103924 Lai & Viernes (Certified for Publication)
vs.
Prudential Insurance Co. of America, etc. et al.

The summary judgment is reversed. The case is remanded to the trial court for disposition consistent with views expressed herein. Plaintiffs are to recover their costs on appeal.

Dunn, J. (Assigned)

We concur: Spencer, P.J.
 Ortega, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

Each of the following:

B112988 Chan v. Dept. of Motor Vehicles
B108153 People v. Sikorski
B114681 People v. Jones
B110737 People v. David
B108366 People v. Jordan
B108621 People v. Madison
B118554 Linda B. v. S.C.L.A.
B118683 Gilbert G. et al. v. S.C.L.A.
B118816 Christino O. et al v. S.C.L.A.
B118867 Barbara W. v. S.C.L.A.
B119020 Crystal R. v. S.C.L.A.
B099509 Puritan Missionary Foundation v. Little

DIVISION THREE (Continued)

Each of the following (cont'd.):

B116831 Dept. of Children & Family Services v. Tina S.
B103347 Ramirez v. Grynicky
B105074 People v. Bayard
B109586 People v. Staton

Argument waived, cause submitted.

B106881 People
 v.
 Rusconi

Merits:
Argued by Allen Weinberg for appellant and by April Sylvester, deputy attorney general for respondent. Cause submitted.

B112714 Consolidated Fire Protection District
 v.
 Consolidated Fire District of Los Angeles, et al.

Merits:
Argued by Mark Saladino for appellant and by Jonathan Coupal for respondent. Cause submitted.

B109114 Colen
 v.
 L.A. County Board of Supervisors

Merits:
Argued by John V. Colen, in propria persona and by Derrick M. Au, deputy county counsel for respondent. Cause submitted.

DIVISION THREE (Continued)

B110341 Huntington Breakers Apartments, Ltd. et al.

v.

Allen, Matkins, Leck, Gamble & Mallory

Merits:

Argued by Robert A. Mosier for appellant and by Dawn M. Schook for respondent. Cause submitted.

B111041 Huff

v.

Fleming

Merits:

Argued by Derek L. Tabone for appellant and by Douglas K. Mann for respondent. Cause submitted.

B105275 Huck

v.

Trope

Merits:

Argued by Noble Ghafouri for appellant and by Eric A. Amador for respondent. Cause submitted.

B101226 Alderette

v.

Mandl

Merits:

Argued by Jeffrey S. Mintz for appellant and by Nancy L. Abell for respondent. Cause submitted.

DIVISION THREE (Continued)

B115722 Garau
 v.
 Hahn

Merits:

Argued by Olga H. Garau, in propria persona and by Linda C. Miller for respondent. Cause submitted.

B112528 The Proposition 103 Enforcement Project
 v.
 Quackenbush et al.

Merits:

Argued by Edward P. Howard for appellant and by David S. Chaney, deputy attorney general, Vanessa Wells, and Susan Harriman for respondents. Cause submitted.

Court recessed at 1:45 P.M.

The Court reconvened at 2:30 P.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B114334 McCloud
 v.
 Perkins

Merits:

Argued by Stephen Lewis for appellant and by James B. Russell for respondent. Cause submitted.

DIVISION THREE (Continued)

B101389 Koch
v.
Koch

Merits:

Argued by William S. Hulsy for appellant and by Honey Kessler Amado for respondent. Cause submitted.

B101815 People
v.
Flores

Merits:

Argued by Gregory R. Ellis for appellant and by Russell A. Lehman, deputy attorney general for respondent. Cause submitted.

B106204 People
v.
Flores et al.

Merits:

Argued by Katharine Greenebaum and Kyle Wesendorf for appellants and by Marc J. Nolan, deputy attorney general for respondent. Cause submitted.

Court adjourned at 4:10 P.M.

B099298 People (Not for Publication)
v.
Joseph

The judgment is reversed and the cause remanded for trial upon the remaining issue of not guilty by reason of insanity, in accordance with this opinion.

Klein, P.J.

I concur: Kitching, J.

DIVISION FOUR

[illegible]

The Court:

For the foregoing reasons, we remand for the limited purpose of retrial on count 2 (burglary of the Suzuki Samurai) and for resentencing thereafter, and in all other respects affirm the judgment.

Epstein, Acting P.J., Hastings, J., Baron, J.

DIVISION FIVE

B118351 City of Los Angeles (Not for Publication)
v.
Superior Court, Los Angeles County
(Paul Fisher, r.p.i.)

The petition for writ of mandate is granted. Respondent shall vacate its order and judgment entered December 4, 1997, granting the petition for writ of mandate of real party in interest Paul Fisher, and shall conduct an in camera hearing review in accordance with the views expressed in this opinion. No costs are awarded in this proceeding.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B106543 Leroy Allen et al. (Not for Publication)
v.
Bridgestone/Firestone, Inc. et al.

The judgment is reversed, and on remand, the trial court is directed to deny respondents' motion for summary judgment. Appellants are entitled to costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

March 17, 1998-Continued

DIVISION FIVE (Continued)

B108807 People (Not for Publication)

V.

James Otis Young

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Armstrong, J.

B109922 People (Not for Publication)

V.

Manuel Gonzalez

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Grignon, J.

b114806 Los Angeles County, D.C.S. (Not for Publication)

V.

Loretta K.

The August 8, 1997, order terminating the parental rights of Loretta K. to her minor son, Kenneth T. III, is affirmed.

Turner, P.J.

We concur: Armstrong, J.

Godoy Perez, J.

DIVISION FIVE (Continued)

B111815 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Charles R.

The Welfare and Institutions Code section 366.26 order selecting guardianship as the permanent plan is affirmed. The order summarily denying the Welfare and Institutions Code section 388 petition is reversed. The cause is remanded for proceedings consistent with the views expressed in this opinion.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

B112069 People (Not for Publication)
 v.
 Stangl

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

B112060 People (Not for Publication)
 v.
 Martinez

The judgment is modified to stay the sentence for false imprisonment. (Count 4, section 236.) As modified, the judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
 Yegan, J.

March 17, 1998-Continued

DIVISION SIX (Continued)

[illegible]

The sentence imposed is vacated and the matter remanded for resentencing as to the section 667.5, subdivision (b) enhancements and the calculation of presentence conduct credits.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

DIVISION SEVEN

B112557 People (Not for Publication)
v.
Maria C., a minor

The order under review is modified to strike the finding of robbery, and to substitute in lieu thereof, a finding of attempted robbery. As modified, the order under review is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Neal, J.

B108359 People
v.
Adams

Filed order denying petition for rehearing.

B107284 Cassim
v.
Allstate Insurance Company

Filed order denying petition for rehearing. Justice Neal would grant.

March 17, 1998-Continued

DIVISION SEVEN (Continued)

B107674 People
 v.
 Martinez

Filed order denying petition for rehearing.